

April 11, 2006

**MINUTES OF AN ADJOURNED REGULAR  
MEETING OF THE TORRANCE CITY COUNCIL**

**1. CALL TO ORDER**

The Torrance City Council convened in an adjourned regular session at 7:00 p.m. on Tuesday, April 11, 2006 in City Council Chambers at Torrance City Hall.

**ROLL CALL**

Present: Councilmembers Guyton, Mauno, McIntyre, Nowatka, Scotto, Witkowsky, and Mayor Walker.

Absent: None.

Also Present: City Manager Jackson, City Attorney Fellows, City Clerk Herbers, and other staff representatives.

**2. FLAG SALUTE/INVOCATION**

The Pledge of Allegiance was led by Councilmember Mauno.

Councilmember Witkowsky gave the non-sectarian invocation.

**3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING**

**MOTION:** Councilmember Scotto moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

**MOTION:** Councilmember Scotto moved that after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof shall be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

**4. WITHDRAWN OR DEFERRED ITEMS**

None.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Mayor Walker announced that Agenda Item 11C was added to the agenda on Friday, April 7, 2006 subsequent to the posting of the agenda on Thursday, April 6, at 6:00 p.m.

Councilmember Nowatka, on behalf of Councilmember McIntyre, announced that the Ad Hoc Rose Float Committee would be meeting on Tuesday, April 18, at 4:30 p.m. in the 3<sup>rd</sup> Floor Assembly Room to discuss the 2007 Rose Float design.

6. **COMMUNITY MATTERS**

6A. **RESOLUTION NO. 2006-26 RE POLICE CAPTAIN ROBERT W. LEINWEBER**

**RESOLUTION NO. 2006-26**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE CAPTAIN ROBERT W. LEINWEBER UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-ONE YEARS OF SERVICE

**MOTION:** Councilmember Nowatka moved for the adoption of Resolution No. 2006-26. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

*To be presented at a later date.*

6B. **RESOLUTION NO. 2006-27 RE POLICE SERGEANT DAVID CHARLES BRY**

**RESOLUTION NO. 2006-27**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE SERGEANT DAVID CHARLES BRY UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-ONE YEARS OF SERVICE

**MOTION:** Councilmember Witkowsky moved for the adoption of Resolution No. 2006-27. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

*To be presented at a later date.*

6C. **PROCLAMATION RE “GLOBAL NATIONAL YOUTH SERVICES DAYS”**

Mayor Walker presented a proclamation to Youth Council Vice Chair Doo Park declaring April 16 through April 22, as ***Global National Youth Services Days*** in the City of Torrance, and urging all area youth to become more involved in their cities to help build a brighter tomorrow.

6D. **PROCLAMATION RE “NATIONAL ANIMAL CONTROL APPRECIATION WEEK”**

Mayor Walker presented a proclamation to Patrick Wren, Joe D'Amico and Shannon Bain of Torrance Animal Control declaring the week of April 9 through April 15, as ***National Animal Control Appreciation Week*** in the City of Torrance, and encouraging the citizens of our community to support the efforts of the animal control officers, recognizing the important role they play in keeping our community safe.

7. **CONSENT CALENDAR**

7A. **APPROVAL OF MINUTES – FEBRUARY 28, 2006**

7B. **INVESTMENT REPORT FOR FEBRUARY 2006**

**Recommendation**

Recommendation of the **City Treasurer** that City Council accept and file the monthly investment report for the month of February 2006.

**7C. RELEASE OF SUBDIVISION BONDS FOR FINAL TRACT MAP NO. 54062**

**Recommendation**

Recommendation of the **Community Development Director** that City Council approve the release of three subdivision bonds for Tract Map No. 54062, which was subdivided by Pacific Capital Estates, Inc., and located at 2413 Cabrillo Avenue.

**7D. AMENDMENT TO CONSULTING SERVICES AGREEMENT FOR INSPECTION OF CITYWIDE SIDEWALK GRINDING AND RAMPING PROJECT**

**Recommendation**

Recommendation of the **Public Works Director** that City Council:

- 1) Approve a Third Amendment to consulting services agreement with Project Partners (C2004-146) in the amount of \$12,500 for continued project inspection of CIP I-55, for a new not-to-exceed amount of \$183,500; and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said amendment.

**7E. CONTRACT FOR DESIGN OF INTERACTIVE ENVIRONMENTAL EDUCATION DISPLAY**

**Recommendation**

Recommendation of the **Public Works Director** that City Council award a contract services agreement in an amount not to exceed \$72,500 to Ideum Inc., of Corrales, NM, to design an interactive environmental education display as part of the Used Oil Recycling Grant Program.

**7F. AMENDMENT TO CONTRACT WITH STARLIGHT PRODUCTIONS**

**Recommendation**

Recommendation of the **Community Services Director** that City Council approve an amendment to contract with Starlight Productions (C2005-100), in the amount of \$13,699 increasing the total not to exceed value of the agreement from \$84,288 to \$97,987. Expenditure will be fully reimbursed by program fees.

**7G. AMENDMENT TO FEE AGREEMENT WITH LIEBERT CASSIDY WHITMORE**

**Recommendation**

Recommendation of the **City Attorney** that City Council approve the Third Amendment to the fee agreement with the law firm of Liebert Cassidy Whitmore to provide legal services with regard to termination proceedings of a city employee in the additional amount of \$15,000 for a total contract amount not to exceed \$74,000.

**7H. AMENDMENT TO FEE AGREEMENT WITH STEPHEN, ORINGER, RICHMAN, THEODORA & MILLER**

**Recommendation**

Recommendation of the **City Attorney** that City Council approve the amendment to the fee agreement with the law firm of Stephen, Oringer, Richman, Theodora & Miller to provide legal services with regard to the appeal proceedings in the case of Shotland v. City of Torrance in the additional amount of \$15,000 for a total contract amount not to exceed \$39,000.

**MOTION:** Councilmember Mauno moved for the approval of Consent Calendar Items 7A through 7H. The motion was seconded by Councilmember Witkowski and passed by unanimous roll call vote.

**11. ADMINISTRATIVE MATTERS**

**11A. VISION CARE INSURANCE PROGRAM FOR ELIGIBLE EMPLOYEES**

**Recommendation**

Recommendation of the City Manager that City Council adopt a Resolution authorizing the City to provide a vision care insurance program to full-time and certain part-time employees.

**MOTION:** Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

**RESOLUTION NO. 2006-28**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING A VISION CARE INSURANCE BENEFIT PROVIDING ONE-PARTY VISION COVERAGE FOR FULL-TIME AND CERTAIN PART-TIME EMPLOYEES

**MOTION:** Councilmember Witkowsky moved for the adoption of Resolution No. 2006-28. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

**11B. QUITCLAIM OF EASEMENTS TO LOS ANGELES COUNTY FOR PALOS VERDES -WALTERIA STORM DRAIN**

**Recommendation**

Recommendation of the **Community Development Director** that City Council adopt a Resolution authorizing the Mayor to execute and the City Clerk to attest the subject quitclaim of easements associated with the Palos Verdes-Walteria Drain Project to Los Angeles County for storm drain purposes.

Councilmember Witkowsky announced that she would be abstaining from consideration of this item due to a conflict of interest because one of the easements is near her home. She left Council Chambers between 7:14 p.m. and 7:15 p.m.

**MOTION:** Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote, with Councilmember Witkowsky abstaining.

**RESOLUTION NO. 2006-29**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST AN EASEMENT TO LOS ANGELES COUNTY FOR STORM DRAIN PURPOSES

**MOTION:** Councilmember Nowatka moved for the adoption of Resolution No. 2006-29. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote, with Councilmember Witkowsky abstaining.

**11C. OPPOSE AB2987 (NUNEZ) REGARDING CABLE AND VIDEO SERVICE**

**Recommendation**

Recommendation of the **City Manager** that City Council consider adoption of a Resolution opposing AB2987 (Nunez) regarding cable and video service.

Cable and Community Relations Manager Smith advised that AB2987, "The Digital Infrastructure and Video Competition Act of 2006," would have an adverse impact on Torrance residents for the following reasons: 1) Failure to provide competitive video service for all citizens; 2) Elimination of local control of consumer protection standards and enforcement; 3) Elimination of emergency notification system; 4) Elimination of no charge connections of cable services to schools, government buildings and libraries; and 5) Reduction of revenue from franchise fees due to a redefinition of "gross revenue."

Councilmember Witkowski commended Mr. Smith for bringing this item forward in a timely manner.

**MOTION:** Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

#### **RESOLUTION NO. 2006-30**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REGARDING TELECOMMUNICATIONS AND VITAL CITY INTERESTS OPPOSING AB 2987

**MOTION:** Councilmember Witkowski moved for the adoption of Resolution No. 2006-30. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

#### **12. HEARINGS**

##### **12A. PRE05-00034: CONSTRUCTION DESIGN SERVICES (HAL HAMILTON) – 424 CAMINO DE ENCANTO**

###### **Recommendation**

Recommendation of the **Planning Commission** and **Community Development Director** that City Council deny the appeal and adopt a Resolution approving a Precise Plan of Development to allow the construction of a new two-story single family residence on property located in the Hillside Overlay District in the R-1 Zone at 424 Camino de Encanto.

###### **PRE05-00034: CONSTRUCTION DESIGN SERVICES (HAL HAMILTON)**

Community Development Director Gibson reported that the applicant has requested a continuance due to illness and all parties have agreed. He noted that the hearing would be re-advertised as it was not being continued to a date certain.

**MOTION:** Councilmember Scotto moved to continue the hearing indefinitely. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

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The Council met as the Redevelopment Agency from 7:21 p.m. to 8:13 p.m.

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#### **16. ORAL COMMUNICATIONS**

**16A.** City Clerk Herbers announced that the Los Angeles County Registrar-Recorder/County Clerk was seeking poll workers for the June 6 election and that information could be found at 1.800.815.2666 Option 7.

**16B.** City Clerk Herbers announced that photos by Torrance Artist Guild member Catherine Balcomb would be on display in the City Clerk's office for the month of April.

**16C.** Councilmember Mauno congratulated the Torrance Education Foundation on a successful event and commented on the opening of the Tree House at Wilson Park.

**16D.** Councilmember Nowatka was pleased to report that the principal at Yukon School won the Prius raffled by the Torrance Education Foundation.

**16E.** Councilmember Scotto stated that the Torrance Education Foundation dinner was a very well done event.

**16F.** Councilmember Scotto commented positively on the Tree House and encouraged the public to visit.

**16G.** Councilmember Witkowsky made a public statement regarding the political door hangers – "This is my public statement concerning a political door hanger that carried my name. I did not authorize such a distasteful message and never condone this type of political activity. I have no knowledge who paid for or sent this message out. My family and I have had to undergo a very upsetting siege of phone calls and emails from the public because of this unauthorized door hanger. I do not condone this type of political campaigning and wanted to let the public know."

**16H.** Mayor Walker congratulated all who worked on the Education Foundation dinner.

**16I.** Mayor Walker commented on the Torrance Science Fair.

**16J.** Mayor Walker stated that the City can take pride in the Tree House, noting that there are only 12 in the country and this is the first to be built in a public park.

**16K.** Arthur Meese, Torrance, questioned the Council on the receipt of gratuities from construction companies. Mayor Walker noted that fundraising records are available in the City Clerk's office.

**16L.** Bill Sutherland gave kudos to Councilmember Witkowsky for saying she was not involved in the door hangers.

**16M.** Lloyd Leonard, Torrance, expressed concerns about the continuous growth of Torrance Municipal Airport and the impact on residents in the Walteria area, citing safety and noise issues. He called for construction of new hangars to be halted and suggested adding more routes for aircraft use so that traffic would be spread out rather than concentrated in one area.

**16N.** Sandi Monda, Torrance, questioned Councilmember Mauno regarding his name on the political door hangers mentioned by Councilmember Witkowsky.

Councilmember Mauno responded that he felt it was neither the time nor place for discussion of this matter, but wanted to make clear that he had absolutely nothing to do with the door hanger and had given no one permission to use his name.

Ms. Monda asked Councilmembers Mauno and Witkowsky to comment on the veracity of the content of the door hangars and questioned where the public records mentioned could be found.

Mayor Walker related his belief that "Orals" was the time to take comments from the public rather than engaging in back and forth dialogue.

**160.** Albert Roman, Hermosa Beach, asked for support of a petition regarding the persecution of Falun Gong in China.

**17. EXECUTIVE SESSION**

None.

**18. ADJOURNMENT**

At 8:34 p.m., the meeting was adjourned to Tuesday, April 18, 2006 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers, CMC

City Clerk of the City of Torrance

Approved on June 13, 2006